

Development Management Committee

Minutes of the meeting held on 16 November 2023 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Horwood (Vice-Chairman)

Cllrs. Baker, Ball, Bayley, Camp, P. Darrington, Edwards-Winsor, Harrison, Hogarth, Hudson, Malone, Silander, Varley and Williams

Apologies for absence were received from Cllrs. Esler, Manston, Purves and Skinner

Cllrs. Perry Cole, G. Darrington, Dyball, Reay, and Scott were also present.

31. Minutes

Resolved: That the minutes of the meeting held 28 September 2023 be approved, and signed by the Chairman as a correct record.

32. Declarations of Interest or Predetermination

Cllr Camp declared for Minute 34 - 23/01864/HOUSE - The Old Barracks, 95 Dartford Road, Sevenoaks Kent TN13 3TF that she was a member of Sevenoaks Town Council, but that she remained open minded.

Cllr Paul Darrington declared for Minute 35 - 23/00575/FUL - The Olympic , Beechenlea Lane, Swanley Kent BR8 8DR that he was a member of Swanley Town Council, but that he remained open minded.

Cllr Horwood declared for Minute 35 - 23/00575/FUL - The Olympic , Beechenlea Lane, Swanley Kent BR8 8DR that he was predetermined and would not participate in the item.

Cllr Harrison declared for Minute 36 - 23/01534/FUL - Land Rear Of 26 To 32, Hever Road, West Kingsdown Kent TN15 6HD that she was the local councillor for the area, but that she remained open minded.

33. Declarations of Lobbying

All Councillors declared that they had been lobbied in respect of Minute 34 - 23/01864/HOUSE - The Old Barracks, 95 Dartford Road, Sevenoaks Kent TN13 3TF.

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Cllrs Bayley, Hogarth, and Malone declared that they had been lobbied in respect of Minute 35 - 23/00575/FUL - The Olympic , Beechenlea Lane, Swanley Kent BR8 8DR.

34. 23/01864/HOUSE - The Old Barracks, 95 Dartford Road, Sevenoaks Kent TN13 3TF

The proposal sought planning permission for a proposed infill of existing balcony to create en-suite, alteration to fenestration. The application had been referred to the Committee by Councillor Skinner to test the view of the Conservation Officer, as reflected in the recommendation, that the development would be harmful to a Locally Listed Building.

Members' attention was brought to the main agenda papers and the late observations, which did not alter the recommendation.

The Committee was addressed by the following speakers:

- Against the Application: -
- For the Application: Zara Milner-Pierce
- Parish Representative: -
- Local Members: -

Members asked questions of clarification of the speaker and the officer. In response to questions, Members were advised that the proposed en-suite would utilise existing drainage already present for the balcony. The colour of the proposed infill could be conditioned; this would need to be assessed for its impact to the heritage asset. It was explained that Locally Listed assets did not have the same statutory designation as Listed Buildings, but were referred to within the National Planning Policy Framework as non-designated heritage assets. The Locally Listed designation applied to the unit as a whole, including the balcony. It was the Conservation Officer's view that the bulk of the infill would undermine views of the building.

It was moved by the Chairman that the recommendation to refuse planning permission within the report be agreed. Members discussed the application, with particular attention to the bulk and colouring of the proposed infill. The lack of infill under the existing balcony was discussed. Members further discussed the importance of making heritage assets habitable in line with modern standards of living, noting that the proposal would provide additional facilities through existing infrastructure.

The motion to refuse planning permission was put to the vote, and it was

Resolved: That planning permission be refused on the following grounds:

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The bulk, unsympathetic design and materials of the proposed development would neither conserve nor enhance the locally listed building.

The proposal would harm the significance of the non-designated heritage asset and consequently would be contrary to policies EN4 of the Sevenoaks Allocations and Development Management Plan (ADMP) and C1 of the Sevenoaks Town Neighbourhood Plan (STNP) as well as the heritage principles of the National Planning Policy Framework (specifically paragraph 203).

The bulk and design of the proposal, in a highly prominent position, is considered to have a detrimental impact on the overall appearance of the street scene contrary to policies EN1 of the ADMP, SP1 of the Core Strategy and C4 of the STNP.

35. 23/00575/FUL - The Olympic , Beechenlea Lane, Swanley Kent BR8 8DR

The proposal sought planning permission for the installation of a rugby pitch together with associated changing rooms, toilet facilities and training area. The application had been referred to the committee by Councillor Barnes on the grounds that the proposal would have an enhancement to biodiversity.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	John Ettridge
Parish Representatives:	Ryan Hayman
Local Members:	Cllr. Barnes (read by Cllr Horwood), Cllr Horwood, Cllr Scott

Members asked questions of clarification of the speakers and the officer. Two ecological reports had been prepared on behalf of Swanley Town Council. KCC Ecology disagreed with the conclusion of the second, more recent assessment that the enhancement of the existing grassland would provide a biodiversity net gain on the site. Moving the soil but retaining the acidic grassland was not possible. Off-site compensation for the acidic grassland had initially been included in the application, but Sports England objected to the proposed location for this, as it would have resulted in the loss of a playing pitch.

It was moved by the Chairman that the recommendation to refuse planning permission within the report, be agreed. Members discussed the application, giving consideration to the significant economic, social, and community benefits of the scheme, and the mitigation strategy within the proposal.

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The motion was put to the vote and it was lost.

It was moved and duly seconded that planning permission be granted, on the grounds that the proposed ecological strategy provided appropriate mitigation and enhancements which, alongside the social, economic, and community benefits to the area, weighed in favour of the development, subject to the precise wording of the following conditions covering: Time limit; Plans; Construction Ecological Management Plan; Biodiversity Net Gain and Enhancement Strategy; Evidence of monitoring; Lighting, Drainage and topography details in accordance with Sport England request; Cycle parking; Car parking spaces; Electrical charging points; Archaeological investigations; Crime prevention; Landscaping; Site levels, and others to be agreed with the Assistant Chief Executive and Chief Officer for Planning & Regulatory Services.

The motion was put to the vote and it was

Resolved: That planning permission be GRANTED subject to the precise wording of the conditions covering: Time limit; Plans; Construction Ecological Management Plan; Biodiversity Net Gain and Enhancement Strategy; Evidence of monitoring; Lighting, Drainage and topography details in accordance with Sport England request; Cycle parking; Car parking spaces; Electrical charging points; Archaeological investigations; Crime prevention; Landscaping; Site levels, and others being agreed with the Assistant Chief Executive and Chief Officer for Planning & Regulatory Services.

36. 23/01534/FUL - Land Rear Of 26 To 32, Hever Road, West Kingsdown Kent TN15 6HD

The proposal sought planning permission for the removal of former car parking area and erection of 4 dwellings with associated drive and car parking. The application had been referred to the Committee by Cllr. Harrison on the grounds of highway safety, parking, and neighbouring amenity.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

Against the Application:	-
For the Application:	-
Parish Representative:	Cllr. Ian Bosley
Local Members:	Cllr. Bulford

Members asked questions of clarification from the speakers and officers. They were advised that the proposed gate would be fixed open, to create a delineation. West

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Kingsdown Parish Council had previously cleaned the site and performed minor repairs to maintain it as a car park. They were further advised that KCC had not raised any safety concerns, and a lighting strategy would be conditioned to preserve amenity. There was no policy in place regarding the provision of EV chargers for guests. The existing car park was not a condition of a previous planning application. This would not prevent a new planning application from being submitted even if it had been a condition.

It was moved by the Chairman that the recommendation to grant planning permission within the report, be agreed. Members discussed the application, giving consideration to the loss of amenity for neighbours through noise pollution, the loss of parking, the potential impact on nearby shops and the rural economy, and the housing need of the district.

The motion was put to the vote and it was

Resolved: That planning permission be GRANTED subject to the following conditions:

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 23-10-02 RevA, 03 RevA, 04 RevA, 06 and 07. In addition to following supporting documents: Noise Impact Assessment (231408).

For the avoidance of doubt and in the interests of proper planning.

3) No development including any works of demolition shall take place on site until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:(a) parking for vehicles of site personnel, operatives and visitors;(b) loading and unloading of plant and materials;(c) storage of plant and materials used in constructing the development;(d) programme of works (including measures for traffic management);(e) provision of boundary security hoarding;(f) measures to control the emissions of dust, dirt and noise during construction;(g) a scheme for the recycling/disposing of waste resulting from demolition and construction works(h) hours of operation.

To ensure the construction works mitigate against harm to the environment, ecology and neighbour amenity in accordance with policies EN1 and EN2 of

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the Allocations and Development Management Plan and SP11 of the Core Strategy.

4) No development above damp proof course level shall be carried out until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

5) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved hard landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained. The soft landscape scheme shall be implemented in the first planting season following completion of the development and thereafter retained.

To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

6) An external lighting strategy shall be submitted to and approved in writing prior to occupation of the development hereby approved. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing and no external lighting shall be installed except as agreed pursuant to this condition.

To preserve the character of the area and amenity of neighbouring residents in accordance with policies EN1 and EN2 of the Allocations and Development Management Plan.

7) The parking spaces on the approved plans shall be provided prior to first occupation of any dwelling and retained free of obstructions thereafter.

To accord with policy T2 of the Allocations and Development Management Plan.

8) The cycle parking provisions on the approved plans shall be provided on site prior to the first occupation of any dwelling and retained thereafter.

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To accord with policy T2 of the Allocations and Development Management Plan.

9) Prior to development above damp proof course level an ecological enhancement plan shall be submitted to the Local Planning Authority for written approval. The plan shall include native species planting and ecological enhancement features to be incorporated in to the site and buildings. The measures specified in the plan shall be carried out in accordance with the approved details prior to occupation of the dwellings or in accordance with the timings set out within the approved plan.

In accordance with policy SP11 of the Core Strategy.

10) The noise mitigation measures as detailed in report 'Noise Impact Assessment' dated 16/08/2023 by Sonic Element Ltd shall be implemented. Prior to occupation, a post completion noise survey must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures against the noise levels as set in the Report.

If the mitigation measures tested in the post-completion report prove to be insufficient, additional noise mitigation measures (where necessary to ensure the appropriate noise levels can be met), shall be submitted to and approved in writing by the Local Authority and installed and tested prior to operation.

The mitigation measures must be retained thereafter.

To accord with policy EN2 of the Allocations and Development Management Plan.

11) Prior to development reaching the damp proof course, details of the location and type of electrical charging points shall be submitted to and approved in writing by the local planning authority. The details shall indicate the location of charging point and appearance of charging point. The approved charging points shall be installed prior to first occupation of the development and shall be maintained thereafter.

To encourage the use of low emissions vehicles in accordance with policy T3 of the Sevenoaks Allocations and Development Management Plan.

12) Prior to the first occupation of any dwelling hereby approved details of any boundary treatments, including those that are to be retained, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those details.

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To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Street Naming and Numbering team on 01732 227328 or visit www.sevenoaks.gov.uk for further details.

2) It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

THE MEETING WAS CONCLUDED AT 9:45PM

CHAIRMAN